RECEIVED
CENTRAL FAX CENTER

OCT 24 2005

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	14

Application Number	09/500,439
Filing Date	Feb 9, 2000
First Named Inventor	Ruvolo, Joann
Art Unit	3625
Examiner Name	GART, Matthew S.
Attorney Docket Number	AM9-99-0133

ENCLOSURES *(Check all that apply)*

- [ ] Fee Transmittal Form
  - [ ] Fee Attached
- [ ] Amendment / Reply
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Reply to Missing Parts/ Incomplete Application
  - [ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s) _____
  - [ ] Landscape Table on CD
- [ ] After Allowance communication to (TC)
- [ ] Appeal Communication to Board of Appeals and Interferences
- [x] Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- [ ] Proprietary Information
- [ ] Status Letter
- [x] Other Enclosure(s) (please identify below):

(X) **Copy of Reply Brief filed 3/28/2005 and Facsimile Confirmation from USPTO**

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Lacasse & Associates, LLC		
Signature	Ramaj Soundararajan		
Printed name	Ramraj Soundararajan		
Date	October 24, 2005	Reg. No.	53832

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	Amanda Cogar		
Typed or printed name	Amanda Cogar	Date	October 24, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AM9-99-0133
09/500,439

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER
OCT 24 2005

In re Application of: Ruvolo et al.

Serial No.: 09/500,439 Group Art Unit: 3625

Filed: 2/9/2000 Examiner: GART, Matthew S.

Title: *System and Method for Renewing Business, Professional and Personal Contacts*

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Order Returning Undocketed Appeal to Examiner mailed on 19 September 2005, and pursuant to the 24 October 2005 telephonic instructions of Examiner Robert Rhode, the Applicants hereby resubmit a copy of the entire 11-page submission filed on 28 March 2005 as well as a facsimile confirmation from the Office confirming that all 11 pages were received.

As our Reply Brief was timely filed within the set period of response, no petition for extension of time or associated fee is required. However, the Commissioner is hereby authorized to charge any deficiencies in the fees provided to Deposit Account No. 09-0441.

Respectfully submitted,

Ramraj Soundararajan
Registration No. 53832

1725 Duke Street
Suite 650
Alexandria, Virginia 22314
(703) 838-7683
October 24, 2005

PAGE 2/14 * RCVD AT 10/24/2005 1:28:56 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/26 * DNIS:2738300 * CSID:7038387684 * DURATION (mm-ss):04-56

LACASSE & ASSOCIATES, LLC
PROFESSIONAL PATENT SERVICES
1725 Duke Street, Suite 650
Alexandria, Virginia 22314
Phone (703) 838-7683/Facsimile (703) 838-7684
E-Mail: patserv@lacasse-patents.com

CONFIDENTIAL
FACSIMILE TRANSMITTAL SHEET

DATE SENT: March 28, 2005

DELIVER TO:

Name: Examiner Matthew S. Gart
Company: USPTO, GAU 3625
Phone No: (703) 305-5355
Fax No: (703) 872-9306

FROM: **Ramraj Soundararajan**

RE: **USSN 09/500,439**

THERE WILL BE A TOTAL OF **11** PAGE(S) INCLUDING THIS COVER SHEET. OUR FACSIMILE MACHINE COMMUNICATES WITH ALL GROUP III, II AND FM6 MACHINES.

NOTICE: The documents transmitted by this facsimile are intended for the use of the individual or the entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of the message is not the intended recipient, or the employee, or agent responsible for delivering this document to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original facsimile to us at the above address via the Postal Service.

NOTES:

- Transmittal Form
- Reply Brief

FAXED 4:25/10/24/05

PTO/SB/21 (09-04)
Approved for use through 07/31/2005, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission: 10

Application Number	09/500,439
Filing Date	February 2, 2000
First Named Inventor	Ruvolo et al.
Art Unit	3626
Examiner Name	Matthew S. Gart
Attorney Docket Number	AM9-99-0133

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
  - ☐ Landscape Table on CD
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☑ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify below):

Request for Continued Examination (RCE)

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Lacasse & Associates, LLC		
Signature	Ramraj Soundararajan		
Printed name	Ramraj Soundararajan		
Date	03/28/2005	Reg. No.	53,832

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	Ramraj Soundararajan		
Typed or printed name	Ramraj Soundararajan	Date	03/28/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER
OCT 24 2005

In re Application of: Ruvolo et al.

Serial No.: 09/500,439 Group Art Unit: 3625

Filed: 02/09/2000 Examiner: Matthew Gart

Title: *System and Method for Renewing Business, Professional and Personal Contacts*

REPLY BRIEF

Attn: Board of Patent Appeals and Interferences
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Appeal Brief filed November 1, 2004, and the Examiner's Answer dated January 27, 2005, Applicants submit the following reply.

PAGE 5/14 * RCVD AT 10/24/2005 1:28:56 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/26 * DNIS:2738300 * CSID:7038387684 * DURATION (mm-ss):04-56

REMARKS

This Reply Brief is in response to the Examiner's Answer dated January 27, 2005. Reconsideration of this application is respectfully requested in view of the foregoing remarks. In addition, all of the arguments in the appeal brief of November 1, 2004, and prior responses should also be considered in support of the claimed elements provided in the present invention.

STATUS OF CLAIMS

Claims 1, 2, 4-15, 17-26 and 28-37 are pending.

Claims 3, 16 and 27 are cancelled.

Claims 1, 2, 4-15, 17-26 and 28-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kennedy (USP 5,831,611) in view of Xcontact.

RESPONSE TO EXAMINER'S ANSWER

With respect to claims 1, 14, and 26, the examiner, on page 7 of the Examiner's Answer of 01/27/2005, advances a new line of argument (as examiner, in the office action of 07/02/2004, cites column 1, lines 26-37 of the Kennedy reference as providing for this limitation) stating that the limitation of "retaining preferences wherein the preferences include, the preference on initiating a searching step" is disclosed by "claim 7 of Kennedy discloses a system including at least one database of business contacts, wherein a control event includes access to and evaluation of information from said at least one database." A closer reading of the citation and the entire Kennedy reference merely teaches a GUI displaying events that are "scheduled events" or "control events", wherein the control events conditionally direct the "execution of the set of events by the process management system" (see column 2, lines 39-46 of Kennedy et al. reference). Applicants are unsure how the examiner generally equates "control events" with that

PAGE 6/14 * RCVD AT 10/24/2005 1:28:56 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/26 * DNIS:2738300 * CSID:7038387684 * DURATION (mm-ss):04-56

of the present invention's specific limitation of "automatically initiating searching said list of possible contacts to select at least one potential contact based on said user preferences", as the Examiner's Answer fails to provide additional details regarding how the "control events" address this specific limitation.

Applicants contend that the phrase "control events", and accompanying description on column 2, lines 39-46, do not impart one with knowledge of how "control events" can automatically initiate searching a list of possible contacts to select at least one potential contact based on said user preferences. Applicants wish to emphasize that it is the duty of the examiner to specifically point out such limitations (as per M.P.E.P guidelines as per §1.104(c)(2) of Title 37 of the Code of Federal Regulations and section 707 of the M.P.E.P, which explicitly states that "the particular part relied on must be designated" and "the pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified") with respect to each and every claim element such that applicants' are aware of how the examiner is applying a reference in a rejection.

Furthermore, applicants still contend that the Kennedy et al. reference merely suggests storing business contacts, whereas the present invention's claim 1 teaches storing the type of contact (professional or personal), the time-based frequency of contact in an automatic invocation, the type of selection algorithm, etc. (see page 7, lines 7+). Thus, it can be clearly seen that the Kennedy reference does not fall in line with "preferences" as required by applicants' specification and claims.

PAGE 7/14 * RCVD AT 10/24/2005 1:28:56 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/26 * DNIS:2738300 * CSID:7038387684 * DURATION (mm-ss):04-56

With respect to independent claims 1, 14, and 26, the examiner, on page 8 of the 'Examiner's Answer' of 01/27/2005, equates "appointments" of Kennedy et al. to applicants' "time-based references". Applicants respectfully disagree with such an assertion as it is not supported by the citations or the entire Kennedy et al. reference. The time-based reference of applicants' invention is also further clarified in pending claim 3, which recites "frequency of contact, time between contacts, or calendar-based contact." The Kennedy reference merely suggests the execution of "scheduled events". The Merriam Webster Online dictionary defines the term 'schedule' as "**1a** : to place in a schedule **b**: to make a schedule of," which indicates that scheduled events are events that are manually entered (or created using the GUI of Kennedy) by a user with no teaching with respect to automatically initiating searching based on time-based references. Hence, applicants contend that the Kennedy reference fails to teach or suggest automatically initiating searching a list of possible contacts based on the time-based references.

Applicants also wish to restate that the examiner has erroneously equated the prior art software systems described in the 'Background' section of the Kennedy reference to provide for the limitation of automatically initiating searching the list of possible contacts to select at least one potential contact based on the user preferences. Such calendaring software, as described in the 'Background' section of the Kennedy reference, are representative of the prior art with respect to applicants claimed invention, as such prior art software systems require users to "enter various scheduled activities" for which the prior art calendaring software generates "automatic follow-up reminders" (see column 1, line 49-54). Applicants, hence, contend that there is a one-on-one relationship between a calendar entry created for an event and the reminder generated for the event. By stark contrast, the present invention's system does not require such an appointment entry to be created for generating a reminder as it automatically searches through a list of

contacts (based on retained user preferences) that a user has not stayed in touch with and automatically generates a reminder along with an available image of a potential contact reminding the user to stay in touch with the potential contact. Additionally, claims 1, 14, and 26 of the present invention teach the selection of a potential contact based on user preferences (previously described). There is no teaching in the citations for a system that reminds users to keep in touch with contacts based on user preferences. Applicants contend that the examiner has erroneously equated the prior art software systems described in the 'Background' section of the Kennedy reference to provide for the limitation of automatically initiating searching the list of possible contacts to select at least one potential contact based on the user preferences.

On page 8-9 of the 'Examiner's Answer', the examiner states that the "one cannot show non-obviousness by attacking references individually where the rejections are based on combination of references" and the examiner further notes that "the Appellant did not provide arguments traversing the combination of Kennedy reference and the Xcontact reference." Applicants strongly disagree with these statements. Specifically, the examiner is directed to page 3 of the final office action of 07/02/2004, wherein, with respect to independent claims 1, 14, and 26, Xcontact is used only to remedy the displaying of an available image or other identifying information of said at least one potential contact. Hence, in the 'Appeal Brief' of 11/01/2004, applicants addressed all the remainder of the limitation of claims 1, 14, and 26 with respect to the Kennedy reference. Further, applicants, on page 7 of the same Appeal Brief specifically stated that "it would be moot to argue that the Kennedy reference in combination with the Xcontact reference would have provided for automatically reminding the user with images of potential contacts that he/she has not been in touch with". Hence, applicants contend, based on the arguments presented in this 'Reply Brief' and the previously presented 'Appeal Brief', that the

PAGE 9/14 * RCVD AT 10/24/2005 1:28:56 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/26 * DNIS:2738300 * CSID:7038387684 * DURATION (mm-ss):04-56

Xcontact reference neither remedies the outlined shortcomings nor teaches/suggests (in combination with the Kennedy et al. reference) dynamically presenting potential contacts based on automatically searching a list of possible contacts to identify at least one potential contact based on user preferences.

Hence, applicants respectfully contend that the Kennedy et al. reference in combination with the Xcontact reference fails to provide many of the limitations of independent claims 1, 14, and 26 and, furthermore, cannot be rendered obvious by their combination.

Applicants note that previously presented arguments with respect to independent claims 1 and 14 substantially apply to claims 2 and 15. The examiner notes that column 1, lines 27-59 of the Kennedy reference teaches the limitation of user preferences comprising "either preferences input by the user or preselected default preferences". A closer reading of the citation merely teaches prior art calendaring solutions providing follow-up reminders for events manually entered by a client. Conspicuously absent in the citations is a teaching or suggestion for input or preselected preferences that are used in automatically intiating a search for identifying potential contacts based on such preferences.

Applicants note that previously presented arguments with respect to independent claims 1, 14 and 25 substantially apply to claims 4, 17 and 28. The examiner notes that the limitations of claims 4, 17, and 28 can be found in figure 5 of the Kennedy reference. Figure 5 illustrates an 'Event Selection Procedure' dialog box associated with "the programming of an ESP event". However, there is no teaching or suggestion is figure 5 or the entire Kennedy reference, either by

PAGE 10/14 * RCVD AT 10/24/2005 1:28:56 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/26 * DNIS:2738300 * CSID:7038387684 * DURATION (mm-ss):04-56

itself or in combination with the Xcontact reference, for "potential contacts" or automatically identifying potential contacts based on user preferences.

Applicants note that previously presented arguments with respect to independent claims 1, 14 and 26 substantially apply to claims 5, 19 and 29. The examiner notes that the limitations of dependent claim 5, 19, and 29 are taught in column 2, lines 46-58 and claims 12-13 of the Kennedy et al. reference. Column 2, lines 46-58 of the Kennedy reference merely teaches contacting clients on a "well scheduled basis". However, Kennedy et al. fail to teach, either by itself or in combination with the Xcontact reference, an automatic searching step that is initiated by a time-based reference.

Applicants note that previously presented arguments with respect to independent claims 1, 14 and 26 substantially apply to claims 6, 7, 18 and 30. The examiner states that the limitations of dependent claims 6, 7, 18, and 30 are taught in column 2, lines 13-58 of the Kennedy et al. reference. As mentioned earlier the citation merely recites a process management system maintaining a GUI to schedule events. Conspicuously absent in the citation is any explicit or implicit reference of a "frequency of contact", "time between contacts", or "calendar-based contact" wherein automatic searching to identify a potential contact is performed based on any of the identified time-based references.

Applicants note that previously presented arguments with respect to independent claims 1, 14 and 26 substantially apply to claims 8, 20 and 32. The examiner states that the limitations of dependent claims 8, 20, and 32 are taught in column 1, line 15 – column 2, line 10 of the Kennedy reference. As described above, the citations merely discuss prior art calendaring

PAGE 11/14 * RCVD AT 10/24/2005 1:28:56 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/26 * DNIS:2738300 * CSID:7038387684 * DURATION (mm-ss):04-56

solutions such as Microsoft® Outlook. However, absent in the citations is a teaching of a random or algorithm-based selection of a potential contact based on user preferences.

Applicants note that previously presented arguments with respect to independent claims 1, 14 and 26 substantially apply to claims 9, 21 and 33. The examiner states that the limitations of dependent claims 9, 21, and 33 are taught in figure 18 of the Kennedy reference. Figure 18 of the Kennedy reference merely depicts a flowchart summarizing the steps executed by a process manager when a graphically depicted communication process is executed in real-time mode. However, the citation does not teach iterative automatic searching of a list of possible contacts to identify more than one potential contact that a user needs to keep in touch with.

Applicants note that previously presented arguments with respect to independent claims 1, 14 and 26 substantially apply to claims 10, 11, 22, 23, 34 and 35. In addition, applicants wish to note that the combination of Kennedy with Xcontact fails to teach or suggest automatically reminding a user to stay in touch with a person whose image is rendered via a GUI (wherein the user was selected, via an automatic search, from a list of contacts based on user preferences).

Applicants note that previously presented arguments with respect to independent claims 1, 14 and 26 substantially apply to claims 12 and 13.

PAGE 12/14 * RCVD AT 10/24/2005 1:28:56 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/26 * DNIS:2738300 * CSID:7038387684 * DURATION (mm-ss):04-56

SUMMARY

None of the references, cited or applied, provide for the specific claimed details of applicants' presently claimed invention, nor renders them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

As this Reply Brief has been timely filed within the set period of response, no petition for extension of time or associated fee is required. However, the Commissioner is hereby authorized to charge any deficiencies in the fees provided to Deposit Account No. 09-0441.

Respectfully submitted,

Ramraj Soundararajan
Registration No. 53832

1725 Duke Street
Suite 650
Alexandria, Virginia 22314
(703) 838-7683
March 28, 2005

PAGE 13/14 * RCVD AT 10/24/2005 1:28:56 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/26 * DNIS:2738300 * CSID:7038387684 * DURATION (mm-ss):04-56

LACASSE & ASSOCIATES, LLC
PROFESSIONAL PATENT SERVICES
1725 Duke Street, Suite 650
Alexandria, Virginia 22314
Phone (703) 838-7683/Facsimile (703) 838-7684
E-Mail: patserv@lacasse-patents.com

CONFIDENTIAL
FACSIMILE TRANSMITTAL SHEET

DATE SENT: March 28, 2005

DELIVER TO:

Name: Examiner Matthew S. Gart
Company: USPTO, GAU 3625
Phone No: (703) 305-5355
Fax No: (703) 872-9306

FROM: Ramraj Soundararajan

RE: USSN 09/500,439

THERE WILL BE A TOTAL OF 11 PAGE(S) INCLUDING THIS COVER SHEET.
OUR FACSIMILE MACHINE COMMUNICATES WITH ALL GROUP III, II AND FM6 MACHINES.

NOTICE: The documents transmitted by this facsimile are intended for the use of the individual or the entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of the message is not the intended recipient, or the employee, or agent responsible for delivering this document to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original facsimile to us at the above address via the Postal Service.

NOTES:

- Transmittal Form
- Reply Brief

FAXED